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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,106	09/26/2003	Rami Caspi	2003P08211US	7727

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Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

MARSH, OLIVIA MARIE

ART UNIT PAPER NUMBER

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/672,106

Applicant(s)

CASPI ET AL.

Examiner

Olivia Marsh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-14 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-14 and 16-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 6, filed November 13th, 2006, with respect to the rejection(s) of claim(s) 1, 9 and 14 under 102(b) and 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Fong *et al* (U.S. 2005/0062604 A1). Please review the below rejection for further explanation.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 4-8, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones, JR. (U.S. 2001/0042849 A1) in view of Fong et al/ (U.S. 2005/0062604 A1).**

As to **claim 1**, Jones discloses:

A telecommunications device **(20)**, comprising:

a positioning controller **(GPS 22)** adapted to determine positioning information for said telecommunications device **(paragraph 19)**; and
a wireless communications controller **(24)** adapted to receive said positioning information from said positioning controller and cause an audible alarm ("speaker or buzzer" – **paragraph 24**) to be generated if said telecommunications device is determined to be out of a first predetermined geographic range **(paragraph 19, 23)**;
wherein said wireless communications controller is adapted to cause positioning information to be transmitted to an associated administration device **(40)** when said telecommunications device is determined to be outside said first predetermined geographic range **(paragraph 24)**.

However, Jones fails to disclose said telecommunications device is determined to be outside said first predetermined geographic range for longer than a predetermined period after

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said audible alarm has been generated. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Fong.

In an analogous art, Fong teaches said telecommunications device is determined to be outside said first predetermined geographic range for longer than a predetermined period after said audible alarm has been generated (paragraphs 36, 40, and 44).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the telecommunications device and alarm, disclosed by Jones, said telecommunications device is determined to be outside said first predetermined geographic range for longer than a predetermined period after said audible alarm has been generated, as taught by Fong, in order to determine when a mobile user has exceeded a specified boundary.

As to **claim 4**, Jones and Fong teaches everything as applied in claim 1 and Jones also discloses:

positioning controller receives Global Positioning System (GPS) signals to determine said positioning information (**paragraph 24**).

As to **claim 5**, Jones and Fong teaches everything as applied in claims 1 and 4 and Jones also discloses:

said wireless communications controller is a cellular telephone controller (**paragraph 19**).

As to **claim 6**, Jones and Fong teaches everything as applied in claims 1 and 4 and Jones also discloses:

said wireless communications controller is a personal communications service (PCS) controller (**paragraph 19**).

As to **claim 7**, Jones and Fong teaches everything as applied in claim 1 and Jones also discloses:

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said predetermined range includes a geographic, date, daily routine, and time-of-day ranges (**paragraph 20**).

As to **claim 8**, Jones and Fong teaches everything as applied in claim 1 and Jones also discloses:

said positioning controller is adapted to receive predetermined range information via said wireless communications controller (**paragraph 23**).

As to **claim 14**, Jones discloses:

A telecommunications method (**paragraph 2**), comprising:

affixing a wireless device (**20**) to a predetermined object (**paragraph 17**);

and

programming said wireless device to be in a first predetermined geographic range (**paragraph 19**);

generating an audible warning if said wireless device is determined to be outside said first predetermined geographic range (**paragraph 24**); and

transmitting one or more alerting signals to an administrative device (**40**) when said wireless device is determined to be outside said first predetermined geographic range (**paragraph 24**).

However, Jones fails to disclose said wireless device is determined to be outside said first predetermined geographic range for longer than a predetermined period after said audible warning has been generated. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Fong.

Fong also teaches said wireless device is determined to be outside said first predetermined geographic range for longer than a predetermined period after said audible warning has been generated (**paragraphs 36, 40, and 44**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, disclosed by Jones, said wireless device is determined to be outside said first predetermined geographic range for longer than a predetermined period after said audible warning has been generated, as taught by Fong, in order to determine when a mobile user has exceeded a specified boundary.

4. Claims 3 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones and Fong as applied to claims 1 and 14 above, and further in view of Chaco (U.S. 7,034,690 B2).

As to **claim 3**, Jones and Fong teaches everything as applied in claim 1; however, neither Jones nor Fong fails to disclose said wireless communications controller is adapted to cause positioning information to be transmitted to an associated administration device when said telecommunications device is determined to be outside a second predetermined geographic range. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Chaco.

In an analogous art, Chaco teaches said wireless communications controller is adapted to cause positioning information to be transmitted to an associated administration device when said telecommunications device is determined to be outside a second predetermined geographic range (**column 8, lines 59-67; column 9, lines 8-10**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the telecommunications device and wireless communications controller, taught by Jones and Fong, said wireless communications controller is adapted to cause positioning information to be transmitted to an associated administration device when said telecommunications device is determined to be outside a second predetermined geographic

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range, as taught by Chaco, in order to detect the wireless device's movement from one area to another and initiating an alarm or instituting a search when unwarranted movement is detected.

As to **claim 16**, Jones and Fong teaches everything as applied in claim 14; however, neither Jones nor Fong fails to disclose transmitting one or more alerting signals to an administrative device when said wireless device is determined to be outside a second predetermined range. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Chaco.

In an analogous art, Chaco teaches transmitting one or more alerting signals to an administrative device when said wireless device is determined to be outside a second predetermined range (**column 8, lines 59-67; column 9, lines 8-10**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, taught by Jones and Fong, transmitting one or more alerting signals to an administrative device when said wireless device is determined to be outside a second predetermined range, as taught by Chaco, in order to detect the wireless device's movement from one area to another and initiating an alarm or instituting a search when unwarranted movement is detected.

As to **claim 17**, Jones and Fong teach everything as applied in claim 14 and Chaco teaches everything as applied in claim 16 and Jones further discloses:

said administrative device comprises a telephony device (**paragraph 17**).

As to **claim 18**, Jones and Fong teach everything as applied in claim 14 and Chaco teaches everything as applied in claim 16 and Jones further discloses:

said one or more alerting signals comprise one or more e-mail signals
(**paragraph 25**).

As to **claim 19**, Jones and Fong teach everything as applied in claim 14 and Chaco teaches everything as applied in claim 16 and Jones further discloses:

said one or more alerting signals comprise one or more Instant Messaging signals (**paragraph 25**).

As to **claim 20**, Jones and Fong teach everything as applied in claim 14 and Chaco teaches everything as applied in claim 16 and Jones further discloses:

said first and second predetermined ranges are associated with at least one of geographic range, daily routine, time-of-day range, or date range (**paragraph 20**).

5. **Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones, JR. (U.S. 2001/0052849 A1) in view of Fong et al (U.S. 2005/0062604 A1).**

As to **claim 9**, Jones discloses:

A telecommunications system (**Figure 1**), comprising:

a wireless device (**20**) including a positioning controller (**22**) and a communications controller (**24**), said wireless device adapted to cause an audible warning to be generated if said wireless device is determined to be outside a first predetermined geographic range (**paragraph 19, 23**);
and
an administrative device (**40**) for receiving alerts from said wireless communication device via said communications controller when said positioning controller determines that said wireless device is outside said first predetermined geographic range (**paragraph 24**).

However, Jones fails to disclose for longer than a predetermined period or is outside said first predetermined geographic range and a second predetermined geographic range and after said audible warning has been generated, but wherein said positioning controller does not send an alert if said wireless device returns to said first predetermined geographic range within the predetermined period. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Fong.

Fong also teaches for longer than a predetermined period or is outside said first predetermined geographic range and a second predetermined geographic range and after said audible warning has been generated, but wherein said positioning controller does not send an alert if said wireless device returns to said first predetermined geographic range within the predetermined period (**paragraphs 40-44**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the system and positioning controller, disclosed by Jones, for longer than a predetermined period or is outside said first predetermined geographic range and a second predetermined geographic range and after said audible warning has been generated, but wherein said positioning controller does not send an alert if said wireless device returns to said first predetermined geographic range within the predetermined period, as taught by Fong, in order to detect the wireless device's movement from one area to another and initiating an alarm or instituting a search when unwarranted movement is detected.

As to **claim 10**, Jones and Fong teach everything as applied in claim 9 and Jones further discloses:

said positioning controller receives global positioning network signals for
determining a position of said wireless communications device (**paragraph 24**).

As to **claim 11**, Jones and Fong teach everything as applied in claims 9-10 and Jones further discloses:

said communications controller comprises a cellular network controller for transmitting on a cellular telephone network to said administrative device
(paragraph 19).

6. **Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones and Fong as applied to claim 9 above, and further in view of Chaco (U.S. 7,034,690 B2).**

As to **claim 12**, Jones and Fong teach everything as applied in claim 9 above; however, neither Jones nor Fong teach teaches said administrative device is adapted to display location information when said wireless device is determined to be outside said second predetermined range. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Chaco.

Chaco also teaches said administrative device is adapted to display location information when said wireless device is determined to be outside said second predetermined range **(column 4, lines 28-31).**

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the system and administrative device, taught by Jones and Fong, said administrative device is adapted to display location information when said wireless device is determined to be outside said second predetermined range, as taught by Chaco, in order to detect the wireless device's movement from one area to another and initiating an alarm or instituting a search when unwarranted movement is detected.

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As to **claim 13**, Jones and Fong everything as applied in claim 9 above and Chaco teach everything as applied in claim 12 and Jones further discloses:

said predetermined range is associated with one or more of a geographic range, time-of-day range, daily routine, or date range (**paragraph 20**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olivia Marsh whose telephone number is 571-272-7912. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



CHARLES APPIAH
PRIMARY EXAMINER